

**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Carbon County Disaster & Emergency Services	)	File No. EB-09-ST-0007
Licensee of KNJE420	)	
Fromberg, Montana	)	NOV No. V200932980005
	)	
	)	

**NOTICE OF VIOLATION**

**Released: April 3, 2009**

By the District Director, Seattle Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,<sup>1</sup> to Carbon County Disaster & Emergency Services, licensee of radio station KNJE420 in Fromberg, Montana.

2. On March 13, 2009, an agent of the Enforcement Bureau's Seattle Office monitored and inspected radio station KNJE420 located at the Fromberg Volunteer Fire Department in Fromberg, Montana, and observed the following violation:

- a. 47 C.F.R. § 1.903(a): "Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part . . ." At the time of the investigation, the KNJE420 transmitter was emitting a continuous carrier on 159.075 MHz.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Carbon County Disaster & Emergency Services, must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the Carbon County Disaster & Emergency Services. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 403.

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Federal Communications Commission  
Seattle Office  
11410 NE 122<sup>nd</sup> Way, Suite #312  
Kirkland, WA 98034-6927

4. This Notice shall be sent to by Certified Mail/Return Receipt Requested and regular mail to Carbon County Disaster & Emergency Services at its address of record.

5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

Kristine A. McGowan  
District Director  
Seattle District Office  
Western Region  
Enforcement Bureau

cc: Gary Hart, Fromberg Volunteer Fire Department

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<sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*